

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 833 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
5. Whether it is to be circulated to the Civil Judge? : NO

BHIMRAO BABURAO JADAV THROUGH HIS BROTHERS RAJENDRA SHANKAR

Versus

STATE OF GUJARAT

Appearance:

MS. KRUTI M SHAH for Petitioner

MR SK PATEL for Respondent No. 1

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 29/09/1999

ORAL JUDGEMENT

1. Rule was given to the respondent on 27th September 1999 but reply has not been filed. Orally submissions have been made by the counsel for the respondent.

2. The fact is not in dispute that on 24th September, 1999 the younger brother of the petitioner expired and on that day, the petitioner was on furlough

leave and he had to surrender to the jail authorities and accordingly he surrendered on 24th September, 1999 as it was last day of this leave.

3. In this petition, the petitioner prayed for grant of parole leave for 30 days due to the death of his younger brother but I do not find any justification for grant of this long parole leave. However, looking to the facts of the case, five days parole leave is granted to the petitioner from 3rd October, 1999 to 7th October, 1999 (both days inclusive) on usual terms and conditions. Rule and special criminal application stand disposed of accordingly.

zgs/-